

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADJUSTACAM LLC

v.

AMAZON.COM, INC.; ET AL.

NO. 6:10-CV-329-LED

JURY

**PLAINTIFF'S ANSWER TO AUDITEK'S COUNTERCLAIMS**

Plaintiff AdjustaCam LLC ("AdjustaCam") answers the counterclaims (Dkt No. 328) of Defendant Auditek Corp. ("Auditek"), by corresponding paragraph number, as follows:

1. Admitted as to subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
2. Admitted that AdjustaCam is the exclusive licensee of, and owner of all substantial rights (including the right to sue for infringement) to the '343 patent.
3. Admitted.
- 4-7. Denied as above, and further denied that Auditek's counterclaims have any merit, and denied that Auditek is entitled to any declaratory relief.
8. To the extent necessary, AdjustaCam denies that Auditek is entitled to the relief requested in its prayer for relief. In addition, to the extent necessary, AdjustaCam generally denies any allegation in the counterclaims not specifically admitted above, and AdjustaCam re-alleges infringement, validity and damages, and denies any allegations in the counterclaim adverse to same.

**PRAYER FOR RELIEF**

WHEREFORE, AdjustaCam respectfully requests that this Court enter judgment denying and dismissing Auditek's counterclaims, and that the Court enter judgment in favor of AdjustaCam as requested in AdjustaCam's complaint, as amended or supplemented.

December 8, 2010

Respectfully submitted,

ADJUSTACAM LLC

By: /s/ John J. Edmonds

John J. Edmonds – LEAD COUNSEL

Texas Bar No. 789758

Andrew P. Tower

Texas Bar No. 786291

Michael J. Collins

Texas Bar No. 4614510

Henry M. Pogorzelski

Texas Bar No. 24007852

COLLINS, EDMONDS & POGORZELSKI,  
PLLC

1616 S. Voss Road, Suite 125

Houston, Texas 77057

Telephone: (281) 501-3425

Facsimile: (832) 415-2535

jedmonds@cepiplaw.com

atower@cepiplaw.com

mcollins@cepiplaw.com

hpogorzelski@cepiplaw.com

ATTORNEYS FOR PLAINTIFF

ADJUSTACAM LLC

### **CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

December 8, 2010

/s/ John J. Edmonds

John J. Edmonds